



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit -- 2188
Examiner -- Pierre M. Vital

September 30, 2004

In re Application of: Englin, Donald C., et.
al.
Title: METHOD FOR MANAGING
FLUSHES WITH THE
CACHE

Serial No.: 09/651,488
Filed: 08/30/2000
Allowed: 09/22/2004
File No.: RA: 5265k (33012/294/101)
Customer # 27516

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowance did not provide any Examiner's statement of Reasons for Allowance. The elements claimed were not found in the cited prior art, and the cited prior art would not render the claimed invention invalid under 35 USC §102. With respect to 35 USC §103, the requirements of establishing a *prima facie* case of obviousness, including (1) a showing that the prior art teaches the entire claimed invention where all limitations are to be considered, and (2) that combining various prior art references is (a) suggested in the art and (b) there would be motivation to make the combination with a likelihood of success, have not been satisfied.

Unless otherwise advised, these comments are intended, to be clarifying in a manner consistent with the law.

Respectfully submitted,

Charles A. Johnson
Attorney for Applicant
Unisys Corporation (MS 4773)
P O Box 64942
St. Paul, MN 55164-0942
Reg. No.: 20,852
Tel. No.: (651) 635-7702

CAJ/ah

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450 on 9-30-04

Myrtha A. Hubbard
Legal Assistant

Signature

9/30/04

Date of Signature